C.8.100 (3)

SINGLE BENCH

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION No.1155 / 2005

PETITIONER /: Bhagwan Das Ukey,S/o Shri Jago Rao, Aged about 58 years, Ukey C.B. Sale Tax Officer, Circle-1, R/o. Jawahar Nagar, Durg, District- Durg (C.G.).

VERSUS

RESPONDENTS /1- State of Chhattisgarh, Through : The Secretary Commercial Tax Department, D.K.S. Bhawan Raipur (C.G.).

/2- Commissioner, Commercial Tax Department, Raipur (C.G.).

P.R. No. 1162/05
Presented by Shri Jitendra Uppal
dated 16-03-05

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

(27)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.11.55 **सन्** 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

29.3.2005

Shri Ajay Shrivastava, counsel for the petitioner.

Shri Akhil Agrawal, Panel Lawyer for the State/respondents.

Heard.

The petitioner has filed this writ petition for a direction to respondent No. 2 for disposal of the departmental appeal, filed by the petitioner vide Annexure P-1.

From bare perusal of Annexure P-1 (memo of appeal), it appears that the appeal was sent to the department on 19.11.1999. Annexure P- 2, is the document which goes to show that a notice was issued to the petitioner for hearing of the appeal on 19.11.2003.

Learned counsel for the petitioner submits that on this date the petitioner appeared before the authority and the matter was adjourned. He further submits that the hearing was concluded on the subsequent date, but the appeal has not been disposed of so far. He also submits that in the said situation, the petitioner made a representation dated 7.2.2005 (Annexure P- 3) but even

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(28)

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित – 2 –	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

after this, orders have not been passed on the appeal. The limited prayer is for issuance of a direction to dispose of the appeal.

This limted prayer is not opposed by the State counsel.

In the facts and circumstances of the case, it is hereby directed that if the appeal, filed vide Annexure P-1 has not been deposed of so far, the same shall be disposed of within a period of 30 days from the date of filing of the certified copy of this order before the concerned authority. It is made clear that this Court has not expressed any opinion on the merits of the case and a simple direction is given to dispose of the appeal of the petitioner.

With the aforesaid directions, the petition stands finally disposed of.

Certified copy as per rules.

Sd/-
Sunil Kumar Sinha
Judge

sunita

(पीछे देखिये)